

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CURTIS A. SMITH,

Plaintiff,

v.

**ILLINOIS ASSOCIATION OF
SCHOOL BOARDS, et al.,**

Defendants.

No.: 3-10-00242-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is plaintiff's motion to strike uncited exhibits from IASB's memorandum in support of motion for summary judgment (Doc. 112). Specifically, plaintiff moves to strike from the record IASB exhibits 3, 7-8, 11-17, 20-27, 29-50, 57-59, 61-65, 70-73, 77-78, 81-84, 86-92, 99-101, 105, 107, 113, 117, and 119-120 arguing that IASB did not cite to these exhibits in its summary judgment brief. Defendant does not object to the motion as to exhibits 50, 54 and 55. However, defendant contends that in order for there to be a complete record, it filed the entire transcripts and exhibits for each of the depositions referenced and that some of the exhibits plaintiff moves to strike it did reference those exhibits.

Based on the reasons in defendant's response, the Court grants in part and denies in part the motion to strike. The Court **GRANTS** the motion as to exhibits 50, 54, and 55 and **DENIES** the motion as to the remaining exhibits. Thus, the Court **STRIKES** exhibits 50, 54 and 55 from defendant's summary judgment brief.

IT IS SO ORDERED.

Signed this 24th day of August, 2011.

 Digitally signed by David R. Herndon
Date: 2011.08.24 13:19:59 -05'00'

**Chief Judge
United States District Court**